

Ickes and the White House,<sup>766</sup> who then would contact Interior, instead of relying solely upon Collier's contacting Interior himself, as the Department's former Chief of Staff might be expected to do.<sup>767</sup> Like the Hudson matter itself, however, there is no evidence to prove that the decision was influenced by the White House or the DNC, notwithstanding Collier's efforts.

In conclusion, Babbitt's statements in his meeting with Eckstein, and his subsequent inconsistent statements about that meeting, suggested there may have been some substantive White House intervention in the matter, as well as a motive to later deny it. A full review of the evidence, however, indicates that neither Babbitt nor any government official at Interior or the White House entered into any sort of specific and corrupt agreement to influence the outcome of the Hudson casino application in return for campaign contributions to the DNC. The evidence is therefore insufficient to prove that the process and decision in this case were criminally corrupted by the promise of campaign contributions, or any other illicit consideration.<sup>768</sup>

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<sup>766</sup>Similarly, less than two months after the Hudson denial, Patrick O'Connor again elected to seek assistance from Fowler and the DNC in connection with a request for White House access on behalf of another client, Eric Hotung, whose family was poised to make a substantial contribution to the DNC. O'Connor's letter to Fowler concerning that matter leaves no doubt that O'Connor drew a clear and direct nexus between obtaining Fowler's assistance in arranging high level Administration meetings with White House officials for Eric Hotung and O'Connor's ability to "make [Patricia Hotung's \$100,000 DNC gift] happen." *See* Section II.E.2.h.2., *supra*.

<sup>767</sup>While federal officials are generally prohibited from lobbying their former agency for at least a year after leaving the government, *see* 18 U.S.C. § 207, Collier's lobbying of Interior was permitted under 25 U.S.C. § 450i(j), which created an exception to the general prohibition where the official is acting as an agent or attorney for an Indian tribe. There are certain procedural requirements attached to the exception – primarily involving notice to the agency by the former official – and Collier appears to have complied with all such terms.

<sup>768</sup>The evidence gathered during our investigation also would not support the commencement of a prosecution for violation of the gratuities statute under 18 U.S.C. § 201(c).

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